

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS RAYMOND BRADLEY DAY,

Defendant.

NO. CR19-200-RSM

ORDER CONTINUING TRIAL
DATE

THIS COURT having considered the motion of the government for an Order Addressing the Continuance of the Trial Date, and the facts set forth therein, and General Order 08-20 and earlier Orders of the United States District Court for the Western District of Washington addressing measures to reduce the spread and health risks from COVID-19, which is incorporated herein by reference, hereby FINDS as follows:

1. In light of the recommendations made by the Centers for Disease Control and Prevention (CDC) and Public Health for Seattle and King County regarding social distancing measures required to stop the spread of this disease, it is not possible at this time to proceed with a jury trial on the currently scheduled date of August 10, 2020.

2. Further, because of the recommendations that individuals at higher risk of contracting this disease – including individuals with underlying health conditions, individuals age 60 and older, and individuals who are pregnant – avoid large groups of people, at this time, it would be difficult, if not impossible, to get a jury pool that would represent a fair cross section of the community. Based on the recommendations, it would also be medically inadvisable to do so.
3. As a result, the failure to grant a continuance of the trial date in this case would likely result in a miscarriage of justice. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by continuing the trial in this case outweigh the best interest of the public and the defendant to a speedy trial.

IT IS THEREFORE ORDERED that the parties participate in a status conference on September 22, 2020 at 10:00 AM. The purpose of the status conference will be discuss a date on which the trial can be scheduled and take place without any potential impact on the health of all participants or the community.

IT IS FURTHER ORDERED that the period of time from the date of this order up to and including the date to be set for the trial at the status conference, shall be excludable time pursuant to 18 U.S.C. § 3161.

Dated this 20th day of July, 2020.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE